REMARKS

Overview

Claims 36 and 38-42 currently stand allowed.

The Examiner also responded in the prior Office Action as follows: rejected claims 1-2, 4-11, 16, 18, 31-35 and 37 under 35 U.S.C. § 103 as being unpatentable over Gupta (U.S. Patent No. 6,446,109) in view of Rosenberg (U.S. Patent No. 6,446,108); rejected claim 3 under 35 U.S.C. § 103 as being unpatentable over Gupta in view of Rosenberg and Bezaire et al. (U.S. Patent No. 5,758,088); rejected claims 17, 20, 26-28 and 30 under 35 U.S.C. § 103 as being unpatentable over Gupta in view of Rossman (U.S. Patent No. 6,430,409); rejected claims 19 and 21-25 under 35 U.S.C. § 103 as being unpatentable over Gupta in view of Bui (U.S. Patent No. 6,412,007); and rejected claim 29 under 35 U.S.C. § 103 as being unpatentable over Gupta in view of Craddock (U.S. Patent No. 6,351,771).

Applicant hereby amends independent claims 1, 7, 8, 10, 11, 31 and 32 in order to clarify the claimed subject matter, and adds new dependent claims 43-76. Thus, claims 1-11 and 16-76 are pending.

Embodiments of the Present Invention

Embodiments of the present invention are directed to facilitating communications between devices (e.g., consumer devices that are remote from each other) via one or more intermediate servers, such as to allow a client device to request that a service be provided and to assist in having another device perform the requested service in response. In some embodiments, the services may be requested and provided in a transparent manner such that the client device does not even know the identity or location of the other device that performs the service, and thus does not directly communicate with that other device. Furthermore, in some embodiments the client device and/or a remote device providing one or more services may be designed and/or configured so as to be able to communicate only with other local devices, such as by being equipped to use a communication protocol with only limited range.

The Gupta Reference

Gupta is directed to a client-server system in which a client device can access information from a remote application server, which itself is communicating with a database server that provides the information. To facilitate the interactions with the remote application server, specialized application server code is loaded onto a local server, and an application program on the client device (*e.g.*, a browser application) may make then interact with the local specialized application server code to obtain the desired information.

While the system in Gupta thus allows a client device to access information from a remote server, the client device is a standard computing system able to interact with the remote server or other remote networked computing systems as needed. Thus, Gupta appears to be unrelated to situations involving client devices whose communication capabilities are limited to communicating only with local devices, such as to extend the capabilities of such limited communication client devices by using a local intermediate server to allow access to remote services in a manner transparent to the client device.

The Rosenberg Reference

Rosenberg is directed to a client-server system in which client devices can communicate over a wide area network to locate and directly access services from remote server devices. Thus, Rosenberg appears to be unrelated to extending the capabilities of client devices whose communication capabilities are limited to communicating only with local devices.

The Bezaire Reference

Bezaire is directed to a system for sending emails and other communications to wireless devices. Bezaire appears unrelated to the use of intermediate servers that facilitate communications in the manner described and claimed in the present application, and in particular does not extend the capabilities of client devices whose communication capabilities are limited to communicating only with local devices.

The Rossman Reference

Rossman describes a problem in the prior art that stems from wireless two-way data communication devices (*e.g.*, cell phones and two-way pagers) having closed proprietary systems in which they can only access information provided by the companies that provide those devices. In response, Rossman describes techniques for loading a software module on such wireless communication devices to enable them to access information in a non-proprietary manner from any remote server computer that is part of the same network as the device, by directly communicating with such server computers. In particular, the wireless communication device can directly contact such a server by specifying a resource locator that includes the address of the server, and thus obtain information from that server computer in a response message. Thus, Rossman appears unrelated to the use of intermediate servers that facilitate communications in the manner described and claimed in the present application, and in particular does not extend the capabilities of client devices whose communication capabilities are limited to communicating only with local devices.

The Bui Reference

Bui is generally directed to authorizing data communication sessions that occur directly between a client and a server. (Bui, Abstract.) Bui appears unrelated to the use of intermediate servers that facilitate communications in the manner described and claimed in the present application, and in particular does not extend the capabilities of client devices whose communication capabilities are limited to communicating only with local devices.

The Craddock Reference

Craddock is generally directed to providing information and services to users by employing an intermediate architecture that performs various functions, such as automatically converting data formats and transportation protocols as appropriate. (Craddock, 3:52-4:25.) Craddock similarly appears unrelated to the use of intermediate servers that facilitate communications in the manner described and claimed in the present application, and in particular does not extend the capabilities of client devices whose communication capabilities are limited to communicating only with local devices.

Analysis

Applicant thanks the Examiner for the indication that claims 36 and 38-42 contain allowable subject matter. Applicant has added new claims 51-76 that each depend from one of the allowed independent claims, and thus claims 51-76 are also allowable for at least the same reasons as the independent claims from which they depend.

With respect to the other claims, the Examiner has rejected each of them as being unpatentable over Gupta, either alone or in combination with other references. However, the pending claims as amended each recite features and provide functionality not disclosed by Gupta or the other references as cited, and thus are patentable over the cited references.

As one example, each of the rejected claims as amended generally recites a communications architecture in which a local client device communicates with a local intermediate server to request services from a remote device, with the local intermediate server facilitating the service requests by forwarding them as appropriate over a connection to a remote intermediate server associated with the remote device. Moreover, these claims as amended clarify that the local intermediate server performs its functionality to enable the local client device to interact with remote devices, as the local client device does not have communication capabilities that allow it to interact with the remote devices. For example, claim 1 as amended recites "enabling establishment of a link between the first consumer device and the remote second device via multiple intermediate servers, the first consumer device and the remote second device each configured to have communication capabilities allowing communications only with local devices" and "establishing a first communicative connection between the first consumer device and a first intermediate server that is local to the first consumer device". Claim 16 similarly recites "a local server able to communicatively couple to a client device that is local to the local server, the local client device designed to communicate only with other local client devices". Each of the other independent claims 7, 8, 11, 31 and 32 recite similar language.

Conversely, neither Gupta nor any of the other relied-upon references appear to teach or suggest an architecture in which a local intermediate server is used to extend
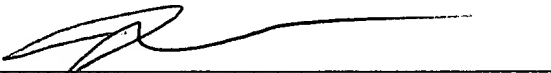
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the communication capabilities of a local client device that is not able to directly communicate with remote devices due to design and/or configuration. To the extent that the Examiner addressed this aspect of the previously pending claims, the Examiner appears to assert that the client browser application of Gupta would correspond to this element of the claims. However, a browser application is inherently designed for the purpose of communicating with remote systems, and Gupta further explicitly teaches that the client computing system is networked with and able to communicate with other remote systems (see, for example, Gupta 7:32-59). More generally, Gupta and the other relied-upon references are directed to different purposes that are unrelated to client systems with limited communications capabilities, and thus provide no suggestion or motivation for extending their disclosed systems for use in the manner recited in the claims.

Thus, each of the previously rejected independent claims as amended are patentable over the relied-upon references for at least this reason. In addition, the pending dependent claims include the features of those claims from which they depend, and are thus allowable for the same reasons as those claims. Moreover, the pending dependent claims also recite additional features lacking in the cited references, and are thus allowable on the basis of those features as well, although these additional features are not enumerated here for the sake of brevity.

Conclusion

In light of the above remarks, Applicant respectfully submits that all of the pending claims are allowable. Applicant therefore respectfully requests the Examiner to reconsider this application and timely allow all pending claims. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 694-4815.

Respectfully submitted,

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